REMARKS

Claims 1-27 are now pending in this application. The Office Action mailed May 20, 2005 rejected claims 1-27. No Claims have been amended in this response. No new matter has been added. For the reasons discussed in detail below, Applicants submit that the pending claims are patentable over the art of record and respectfully request that the Examiner pass this application to issue.

Rejection of Claims Under 35 U.S.C. § 103

The Office Action rejected claims 1, 3, 4, 11-14, 17 and 19-27 under 35 U.S.C. §103(a) as being unpatentable over U.S. patent No. 5,752,244 issued to Rose et al. (hereafter "Rose") in view of U.S. patent No. 6,192,370 issued to Primsch (hereafter "Primsch"). The Office Action also rejected claims 2, 15 and 18 under 35 U.S.C. §103(a) as being unpatentable over the combination of Rose and Primsch and further in view of U.S. Patent No. 5,873,075 issued to Cochrane (hereafter "Cochrane"). In addition, the Office Action rejected dependent Claims 5 and 6 as being unpatentable over the combination of Loaiza and Cochrane in view of U.S. Patent No. 5,787,452 to McKenna. Moreover, dependent Claims 7-10 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Rose and Primsch and further in view of U.S. Patent No. 6,175,835 issued to Shadmon. Applicant respectfully traverses these rejections.

The Applicants respectfully submit that the cited references do not teach or suggest all of the claim limitations. For example, Claim 1 recites, among other things, a method for employing a plurality of data structure types to optimize the retrieval of at least one data object over a network. Each data object is stored in a data store, **each data object** in the data store **being separately and in parallel referenced in each of the plurality of data structure types**. That is, **each data object** is referenced in **each of the plurality of data structure types.** This is unlike Rose, which does not even suggest such an arrangement.

Unlike the present invention, Rose merely describes a database structure that stores a data object (asset) that is distinctly referenced in only one data structure type. As described, Rose's

database management system manages multimedia assets such as images (scanned photographs or computer-generated images), video (created by videography equipment or computer animation), audio, text, program code, etc. See Rose, Col. 1 line 65 - Col. 2 line 2. The database structure that Rose employs, however, allocates different data structures for each of these assets. Moreover, each of the assets, images, video, audio, object, docs, and general, of Rose is stored and referenced only through the data structure that is specific to that asset type. See Rose, Col. 5 line 8 - Col. 12, line 53; and FIGURE 3. Thus, for example, an image asset has a distinct data structure that is different from a video asset, or an audio asset, and so forth. Compare for example, the data structures described at Col. 10, lines 39-54 for an image asset to a data structure described at Col. 11 lines 1-20, for a video asset. Note in particular that the image asset data structure described by Rose is employed **only** for images, such as BMP, GIF, PCX, and other files. See Rose, Col. 10 lines 55-59. The image asset data structure does not reference, for example, audio assets, executable code, video assets, or the like. Instead, each of Rose's data structures is unique and distinct and **most important** is **not** designed to, nor does it, reference the other assets types. Thus, it is clear that Rose does not teach or suggest **each data object** in the data store being referenced in **each of the plurality of data structure types**. Nor does Rose teach making such references separately and in parallel, as is claimed by the Applicants.

Furthermore, because Rose does not teach or suggest referencing each data object in each of the of the plurality of data structure types, Rose can not automatically determine one of the plurality of data structure types best suited to retrieve the one data object as described by the Applicants' invention. Rose can only employ the pre-selected singular data structure for any given one data asset. Rose makes no meaningful determination of a data structure type, as it is already predetermined. It makes no selection across the plurality of data structures. Thus, Rose does not make obvious the second element of Claim 1. Nor can Rose make obvious the third element of Claim 1, namely, "automatically determining another one of the plurality of data structure types best suited to the plurality of related data objects...," for at least the same reasons. Thus, for at least these reasons, Applicants respectfully submit that Rose does not render the claimed invention obvious. Moreover, while Primsch does describe deleting a stored object, Primsch does not provide teachings covering the above-identified elements missing from Rose.

In addition, because independent Claims 14, 17, 21-23, and 26 include similar limitations as Claim 1, albeit different, they are also allowable for at least substantially the same reasons as independent Claim 1.

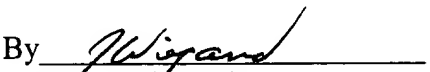
In regard to Claims 2-13, 15-16, 18-20, 24-25, and 27 which are dependent on independent Claims 1, 14, 17, 23, and 26 respectively, they are allowable for at least the same reasons discussed above for those independent claims. Thus, in view of the foregoing remarks, reconsideration, and withdrawal of the rejection of the claims pending for examination is respectfully requested.

CONCLUSION

By the foregoing explanations, Applicants believe that this response has responded fully to all of the concerns expressed in the Office Action, and believes that it has placed each of the pending claims in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone applicant's attorney at the number listed below.

Dated: July 20, 2005

Respectfully submitted,

By 

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